

**PLANNING AND ZONING BOARD
NOVEMBER 28, 2001**

1. ROLL CALL

The meeting was called to order at 7:00 p.m. Board members present were Chair Jay Stahl, Vice-Chair Mike Bender, Edna Moore, Mimi Turin and Bob Waitkus. Also present were Town Attorney Monroe Kiar, Planner Chris Gratz and Board Secretary Janet Gale recording the meeting.

2. PUBLIC HEARINGS

Variances

2.1 V 7-1-01, McDonald's Corporation/The Barclay Group No. 8, LTD, northwest corner of SW 136 Avenue and Financial Boulevard (B-2) **(tabled from October 24, 2001)**

Mr. Gratz indicated that staff was requesting a tabling to December 12, 2001.

Vice-Chair Bender made a motion, seconded by Mr. Waitkus, to table to December 12, 2001. In a voice vote, all voted in favor. **(Motion carried 5-0)**

2.2 V 9-2-01, Laystrom/Willow Acquisitions, LLC - 15700 Pointe West Drive (BP)

Bill Laystrom and Rick Case, representing the petitioner, were present. Mr. Gratz read the planning report (Planning and Zoning Division's recommendation: denial).

Chair Stahl stated that he would abstain from discussion of this item as he may have an economical interest in this issue. He passed the gavel to Vice-Chair Bender.

In the lengthy discussion which ensued, Mr. Laystrom provided a brief history of the development of the site and explained and demonstrated the petitioner's need for the variance. He agreed that the Royal Palm trees in front of the monument sign and the building signage would be proportionately the same size as was depicted in the drawings presented. Also discussed was the flag and flagpole with various Board members expressing their opinions on this matter.

Ms. Turin disclosed that she had been contacted by Mr. Case and that before she was a member of the Board, she had an arms-length transaction with Rick Case Acura. Vice-Chair Bender and Mr. Waitkus both disclosed that they had been contacted by Mr. Case and on separate occasions, had viewed the facility. Discussions continued with Board members expressing their opinions with regard to this variance request.

Vice-Chair Bender asked if anyone wished to speak for or against this item. As no one spoke, he closed the public hearing.

Ms. Moore made a motion, seconded by Mr. Waitkus, to approve. In a roll call vote, the vote was as follows: Chair Stahl - abstained; Vice-Chair Bender - yes; Ms. Moore - yes; Ms. Turin - yes; Mr. Waitkus - yes. **(Motion carried 4-0 with Chair Stahl having abstained.)**

3. OLD BUSINESS

Chair Stahl expressed his pleasure on the progress of development for the Publix Shopping Center located on Nova Drive.

4. NEW BUSINESS

There was no new business discussed.

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5. COMMENTS AND/OR SUGGESTIONS

There were no comments and/or suggestions made.

6. ADJOURNMENT

There being no further business and no objections, the meeting was adjourned at 7:38 p.m.

Date Approved _____

Chair/Board Member